



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,659	06/30/2003	Mohamed Al-Kaabi	200405.00034	2011
21324	7590	12/20/2006		EXAMINER
HAHN LOESER & PARKS, LLP				LE, MARK T
One GOJO Plaza				
Suite 300			ART UNIT	PAPER NUMBER
AKRON, OH 44311-1076			3617	
			NOTIFICATION DATE	DELIVERY MODE
			12/20/2006	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

[patents@hahnlaw.com](mailto:patents@hahnlaw.com)  
[akron-docket@hotmail.com](mailto:akron-docket@hotmail.com)



UNITED STATES DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

10/6/1659

EXAMINER

ART UNIT      PAPER

20061212

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

See the attached Advisory Action.

Mark T. Le  
Primary Examiner  
Art Unit: 3617

<b>Advisory Action</b> <i>After the Filing of an Appeal Brief</i>	Application No.	Applicant(s)
	10/611,659	AL-KAABI ET AL.
	Examiner Mark T. Le	Art Unit 3617

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The reply filed 11/15/06 is acknowledged.

1.  The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:
  - a.  The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).
  - b.  The affidavit or other evidence is not timely filed before the filing of an appeal brief.  
See 37 CFR 41.33(d)(2).
2.  The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3.  The reply is entered. An explanation of the status of the claims after entry is below or attached.
4.  Other: \_\_\_\_\_

MARK T. LE  
PRIMARY EXAMINER

12/12/06

Attorney's Docket 200405.00034

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Patent Application of:

Inventors: Mohammed Al-Kaabi and Jamal Hematian  
Serial No: 10 / 611,659  
Filed: June 30, 2003  
Title: Symmetrical Multi-Unit Railroad Car  
Assignee: National Steel Car  
Art Unit: 3617  
Examiner: Mark T. Le

**REPLY BRIEF**

To: Mail Stop Appeal Brief- Patents  
The Honorable Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Reply Brief is filed in response to the Examiner's Answer in this matter mailed on September 15, 2006 in this Appeal to the Board of Patent Appeals and Interferences of the United States Patent and Trademark Office of the rejection, made 'Final' of the at least twice rejected claims 1, 3, 5 – 8, 11, 30 – 35, 38 and 42 in the above-identified patent application.

Attorney's Docket 200405.00034

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:      Title:      Symmetrical Multi-Unit Railroad Car  
              Inventors:      Mohammed Al-Kaabi and Jamal Hematian  
              Assignee:      National Steel Car Limited  
              Filed:      June 30, 2003  
              Serial No:      10 / 611,659  
              Art Unit:      3617  
              Examiner:      Mark T. Le

**DECLARATION UNDER RULE 1.132**

I, Mohammed Al-Kaabi, of 152 Redfern Ave., in the regional municipality of Hamilton-Wentworth, in the Province of Ontario, Canada, make oath or solemnly affirm that I have personal knowledge of the facts to which I hereinafter depose, except for those matters made on the basis of information and belief, and where so stated, I believe the same to be true, and say:

Background

*not approved  
for  
ent  
12/2/06*

- 1) I am a Senior Design Engineer at National Steel Car, Limited. National Steel Car is well known in the railroad industry in North America, and has been in the business of designing and manufacturing rail road cars since 1912. The great majority of rail road cars produced by National Steel Car have been designed and manufactured for use in the North American rail road industry.
- 2) I attended the College of Engineering at the University of Baghdad, in Iraq, and earned a B.A.Sc. in Mechanical Engineering in 1965. I then attended the University of London, England and earned a Ph. D. in Mechanical Engineering in 1976. I have worked as a design Engineer for National Steel Car Limited since 1999.
- 3) During my employment at National Steel Car I have worked on the design of intermodal well cars, cars for carrying steel coils, and gondola cars.